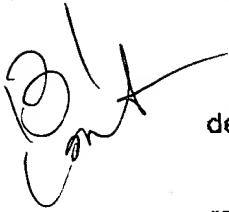


Appl. No. 09/843,325  
Amdt. dated Sept. 26, 2003  
Reply to Office action of June 26, 2003

the tight strand along a substantial length of the second shoe;

the rotatable body of the actuating hydraulic tensioner movable about the pivot point to urge the first and second shoes laterally inward, relative to the chain to impart tension to said chain.

 29. (New) A rotary actuating hydraulic tensioner for maintaining a desired degree of tension in a chain system in an engine comprising,  
a stationary housing and a rotatable body disposed within the housing, the rotatable body movable about a central pivot point and in flow communication with a pressurized hydraulic fluid source;

at least one first chamber within the tensioner for receiving the pressurized hydraulic fluid, said first chamber disposed to move the rotatable body about the pivot point in a generally planar rotation when pressurized by the hydraulic fluid; at least one spring disposed within the chamber to bias the rotatable body in a first direction; and

at least one tensioner arm operatively connected to the rotatable body with at least one frictional contact surface positioned to contact at least a portion of the chain to exert force on the chain when the rotatable body is moved in the first direction.

---

**Amendments to the Drawings:**

The attached sheet of drawings replaces Figures 7 and 8, the amendments thereto having been approved in the Office Action.

**REMARKS**

Claims 1-8, 10-19 and 24-28 remain in this application, and Claim 29 is added. Claim 9 is cancelled.

The Examiner's allowance of claims 14-28, along with the indication that claims 4-7, 9 and 12 would be allowable if rewritten in independent form, are noted

Appl. No. 09/843,325  
Amdt. dated Sept. 26, 2003  
Reply to Office action of June 26, 2003

with appreciation. Claim 1 is amended and Claim 29 has been added, which comprises Claim 8 with the additional elements of dependent claim 9. Claims 10 - 13 are amended to depend from new Claim 29.

Claims 1-3, 8, 10, 11 and 13 stand rejected under 35 U.S.C. 102(b) as being anticipated by JP 60-65945 to Minoru. It is respectfully submitted that Minoru does not disclose the inventions as presently recited in the claims.

With respect to claims 1-3, Applicant respectfully submits that Minoru discloses a tensioner with an external coil spring wrapped around the outside of the tensioner with one end inserted directly into the tensioner arm 12, and does not disclose or suggest Applicant's tensioner of claims 1 - 3.

With respect to claim 8, Minoru's abstract further states that rotation of the arm member by the tensioner is due entirely to its external coil spring: "the arm member 12 rotates due to the pressure of the coil spring 14. Thereby, the screw member 11 is moved in the direction of D" (emphasis added). There is no disclosure or suggestion by Minoru of the tensioner of claim 8 in any material respect.

For the reasons set forth above, Applicant submits that the pending claims 1-8, 10-19 and 24-29 are in condition for allowance.

Respectfully submitted,  
FITCH, EVEN, TABIN & FLANNERY

By:   
Jon A. Birmingham  
Registration No. 51,222

Date: September 26, 2003  
120 South LaSalle Street  
Suite 1600  
Chicago, Illinois 60603  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

**OFFICIAL**

**RECEIVED  
CENTRAL FAX CENTER**

**SEP 29 2003**